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District Counsel for the Southern Inyo  
County Fire Protection District

California Energy Commission

**DOCKETED**  
**11-AFC-02**

TN # 69583

FEB. 19 2013

**STATE OF CALIFORNIA**  
**State Energy Resources**  
**Conservation and Development Commission**

In the Matter of:

APPLICATION FOR CERTIFICATION  
FOR THE HIDDEN HILLS SOLAR  
ELECTRIC GENERATING SYSTEM  
(SEGS)

DOCKET NO. 11-AFC-2

**PREHEARING CONFERENCE STATEMENT  
OF THE SOUTHERN INYO FIRE PROTECTION  
DISTRICT**

Prehearing Conference

Date: February 26, 2013

Time: 12:00 p.m.

Place: Tecopa Community Center  
405 Tecopa Hot Spring Road  
Tecopa, CA 92389

**PREHEARING CONFERENCE STATEMENT OF INTERVENER  
SOUTHERN INYO FIRE PROTECTION DISTRICT**

As directed in the December 21, 2012 Notice of Prehearing Conference, this statement is a preliminary identification of the issues Intervener<sup>1</sup> Southern Inyo Fire Protection District (“District”) intends to raise at the public evidentiary hearings for the Hidden Hills Solar Electric Generating System Project (the “Project”), Docket No. 11-AFC-2, filed with the California Energy Commission by Hidden Hills Solar I, LLC and Hidden Hills Solar II, LLC (collectively, the “Applicant”). Because the District is unaware of what evidence or arguments may be advanced by the Project Applicant, the Commission Staff, or other parties and interveners, the District reserves the right to supplement accordingly.

**I. Subject Areas That Are Complete and Ready to Proceed to Evidentiary Hearings**

The District is engaged in ongoing negotiations towards achieving an agreement with the Project Applicant that would adequately fund District services to achieve an adequate level of service (including fire prevention, fire suppression, and emergency medical response) and would address Project impacts. The District therefore does not object to a finding of completeness and readiness to proceed to evidentiary hearing for all Subject Areas identified in the Notice of Prehearing Conference.

If such an agreement is not reached prior to the Evidentiary Hearing, then the District would proceed with evidence described in Part IV, below.

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<sup>1</sup> The District’s Petition to Intervene was filed on February 11, 2013 and was granted February 15, 2013.

**II. Subject Areas That Are Not Complete And Not Yet Ready To Proceed To Evidentiary Hearing**

None, unless an agreement discussed in Part I addressing relevant areas of Commission findings is not achieved.

**III. Subject Areas That Remain Disputed And Require Adjudication**

None, unless an agreement discussed in Part I addressing relevant areas of Commission findings is not achieved.

**IV. Identity And Qualifications of Witnesses and Summary of Testimony by Subject Area**

The District will offer testimony and evidence to establish the following:

1. That consistent with a decision of the Local Agency Formation Commission of Inyo County, the District is authorized to provide fire services as set forth in the Fire Protection District Act for the Project Area;
2. That the District has adopted NFPA Standard 1720 with respect to deployment of facilities, equipment and personnel district wide with specific application in the Charleston View area of Inyo County immediately adjacent to the Project Site; and,
3. That with the adoption of NFPA Standard 1720 and provision for funding for the Project through either a Special Tax or a Fire Benefit Assessment, the workplace safety and fire and life safety of the Project Site will be addressed by the District.

The District will confirm official actions of the District through certified copies of District Actions as well as through testimony of its District Chief, Larry Levy and through its consultant, Mr. Ronny J. Coleman, the Former State Fire Marshal.

**V. Subject Areas To Cross-Examine Witnesses, Summary Of Scope Of Cross-Examination, And Time Desired For Such Cross-Examination**

The District reserves the right to cross-examine the Project Applicants experts with respect to the Project Applicant's assumptions on available funding for fire and emergency services. It is expected that such cross-examination would last approximately five to ten minutes.

**VI. List Of Exhibits And Declarations Intended To Be Offered Into Evidence And The Subjects To Which They Apply**

The District's exhibits and Declarations is dependant on the nature and extent of the agreement discussed in Part I that is ultimately reached with the Project Applicant. The District reserves the right to supplement this portion of the Prehearing Statement to account for developments in the ongoing discussions with the Project Applicant.

**VII. Subject Areas For Which the Applicant Will Seek Either A Commission Override Due To Public Necessity And Convenience Pursuant To Public Resources Code Section 25525 Or A Specific Finding That Overriding Economic, Legal, Social, Technical Or Other Benefits Outweigh The Significant Effects On The Environment Pursuant To Public Resources Code Section 21081(b)**

The District cannot conceive of an instance where there would be evidence of fire prevention, life safety, worker protection, and related governmental services performed by the District that would be overridden.

**VIII. Proposals for Briefing Schedules**

If an agreement is not achieved within 5 business days of the Evidentiary Hearing then the District will file a brief setting forth its position for Project conditions.

**IX. Proposed Modifications to Conditions of Certification**

Not applicable, unless an agreement as described in Part I is not reached. If such an agreement is not reached, then the conditions for certification must clearly provide that the

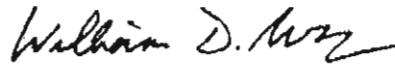
applicant will provide for adequate funding of District services, facilities, and operational requirements, which are to be in place at least 60 days prior to the commencement of Project construction.

DATED: February 19, 2013

Respectfully submitted,

LAW OFFICES OF WILLIAM D. ROSS  
A Professional Corporation

By:



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WILLIAM D. ROSS

Attorneys for Intervener Southern Inyo Fire  
Protection District

### DECLARATION OF SERVICE

I, Le Chaune Metoyer, declare that on February 19, 2013, I served and filed copies of the attached Prehearing Conference Statement of the Southern Inyo Fire Protection District, dated February 19, 2013. This document is accompanied by the most recent Proof of Service, which I copied from the web page for this project at: <http://www.energy.ca.gov/sitingcases/hiddenhills/>.

The document has been sent to the other persons on the Service List above in the following manner:

**(Check one)**

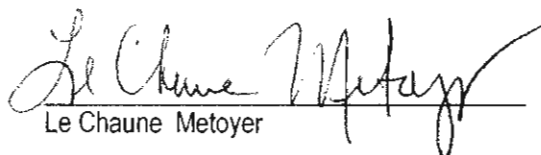
**For service to all other parties and filing with the Docket Unit at the Energy Commission:**

X I e-mailed the document to all e-mail addresses on the Service List above and personally delivered it or deposited it in the US mail with first class postage to those parties noted above as "hard copy required"; OR

\_\_\_\_\_ Instead of e-mailing the document, I personally delivered it or deposited it in the US mail with first class postage to all of the persons on the Service List for whom a mailing address is given.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that I am over the age of 18 years.

Dated: February 19, 2013

  
Le Chaune Metoyer



BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT  
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1516 NINTH STREET, SACRAMENTO, CA 95814  
1-800-822-6228 – WWW.ENERGY.CA.GOV

**APPLICATION FOR CERTIFICATION FOR THE  
HIDDEN HILLS SOLAR ELECTRIC  
GENERATING SYSTEM**

**Docket No. 11-AFC-02**

**PROOF OF SERVICE  
(Revised 2/15/13)**

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